

FEB 20 2006

<b>FACSIMILE TRANSMITTAL FORM</b>	Application Number	10/719959
	Filing Date	November 21, 2003
	First Named Inventor	Flannigan, Paul J.
	Art Unit	3743
	Examiner Name	Nihir B. Patel
Fax: 571-273-8300	Attorney Docket Number	59010US002
Total Number of Pages in This Submission: 4		
Date: February 20, 2006	Attorney for Applicant: Karl G. Hanson	

ENCLOSURES (check all that apply)		
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RESPONSE UNDER 37 CFR 1.116  
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EXAMINING GROUP: 3743

32692

Customer Number

Patent  
Case No.: 59010US002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: FLANNIGAN, PAUL J.

Application No.: 10/719959

Group Art Unit: 3743

Confirmation No.:


Filed: November 21, 2003

Examiner: Nihir B. Patel

Title: RESPIRATORY FACEPIECE AND METHOD OF MAKING A FACEPIECE  
USING SEPARATE MOLDS

RESPONSE UNDER 37 CFR § 1.116

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February 20, 2006 Date	 Signed by: Susan M. Dacko

Dear Sir:

In response to the outstanding Office Action mailed December 8, 2005, applicants submit the following.

Applicants thank the Examiner for the courteous interview on February 3, 2006. As indicated at the Interview, neither the primary reference to Gleason or the secondary reference to Fecteau teach or suggest applicants' invention alone or in combination. In the Amendment mailed April 27, 2005, and in an Amendment mailed July 15, 2004, applicants provided amended definitions for the terms "compliant faced contacting member", "face piece insert", and "mask body". Those terms, in amended form, are reproduced below for ease of reference:

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"compliant face contacting member" means the portion of a mask body that engages the facepiece insert directly or otherwise and is compliantly fashioned for making contact with a person's face to allow the mask body to be comfortably supported over a person's nose and mouth.

"facepiece insert" means a rigid element(s) that is fashioned to form part of the mask body but is made separate from the compliant face contacting member to provide structural integrity to the mask body to allow filtration elements and/or valves to be adequately secured thereto.

"mask body" means a structure that can fit over the nose and mouth of a person and that can help define an interior gas space separated from an exterior gas space.

As indicated at the interview, the references to Gleason and Fecteau do not teach or suggest the present invention because they do not teach or suggest a face piece insert that has separate fluid communication components. In Gleason, the fluid communication components 42, 44 are integral parts of the face piece insert 26. In Fecteau, the respirator 10 has a face piece 22 that does not comprise a face piece insert. In Fecteau, the fluid communication components 70 and 80, 82 are illustrated as being parts separate from the face piece 22 but not from a face piece insert. Thus, neither Gleason nor Fecteau teach or suggest providing a fluid communication component separately from the supporting portion of a face piece insert. Further, only applicants' invention recognizes the benefits that are entailed when the fluid communication component is provided separately from the supporting portion of the insert. When these parts are made separately, the higher tolerance components can be manufactured in a location where persons are present who have the resources and training to correctly manufacture these parts. The present invention therefore, allows less room for error in manufacturing the higher tolerance parts and is more versatile than known manufacturing techniques. Additionally, a whole new mold does not need to be used when a different filter mount is used in the face piece insert. Therefore, if a different filter cartridge is desired to be used on this same face piece, the manufacturer does not have to fashion a whole new mold for the insert. The manufacturer only needs to make a new mold for the fluid communication component.

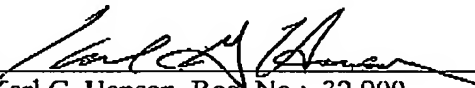
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Because Gleason and Fecteau fail to teach or suggest the basic elements of applicants' invention and also fail to recognize the benefits that are provided by the invention, these references, whether taken alone or in combination, would not have rendered applicants' invention obvious to a person of ordinary skill within the meaning of 35 USC § 103. Please reconsider the obviousness rejection in light of the comments set forth above.

Respectfully submitted,

February 20, 2006  
Date

By:   
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Office of Intellectual Property Counsel  
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